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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,643	10/17/2003	Daryl R. Sugden	064552.0237	1951
23640	7590	06/22/2007		
BAKER BOTTS, LLP 910 LOUISIANA HOUSTON, TX 77002-4995			EXAMINER FERGUSON, MICHAEL P	
			ART UNIT 3679	PAPER NUMBER
			MAIL DATE 06/22/2007	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	Application No. 10/688,643	Applicant(s) SUGDEN, DARYL R.	
	Examiner Michael P. Ferguson	Art Unit 3679	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 03 April 2007.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) 3-5 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 2 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |                                                                                                            |                                                                                         |
|------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____                                                |

**DETAILED ACTION**

***Election/Restrictions***

1. Claims 3-5 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected group, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on June 15, 2005.

***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Orr (US 1,214,709) in view of Schimmeyer et al. (US 3,570,074).

As to claim 1, Orr discloses a wire rope and socket combination; comprising:

a wire rope socket 10:

a rope formed of strands a of twisted wires extending into the wire rope socket;

strands a<sup>1</sup> of the twisted wires being bent over 180 degrees within the wire rope socket;

strand a<sup>2</sup> of the twisted wires remaining unbent (strand a<sup>2</sup> is not deformed or bent, instead the strand is left in its original axial position; page 2 lines 2-10) within the wire rope socket, wherein the selection of the number of strands of twisted wire bent over 180 degrees and the selection of the number of strands of twisted wire remaining unbent are made to set the breaking strength of the wire rope socket; and

babbit **19** securing the rope in the wire rope socket (Figures 1 and 4).

Orr fails to disclose a combination wherein the wire socket is internally threaded.

Schimmeyer et al. teach a wire rope and socket combination comprising a wire rope socket **10,14,16** wherein the wire rope socket is internally threaded; the socket comprising a two-piece, threadably engaged assembly, two-piece assembly **14,16** providing for easier assembly of the combination, anchoring end **16** being threaded onto the rope after securement of the rope within member **14** so as to not interfere with the securement process, and enabling interchangeable use of different anchoring ends with a single rope (Figures 1-3, column 2 lines 34-38). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combination disclosed by Orr to have a two-piece, threaded sleeve as taught by Schimmeyer et al. in order to provide for easier assembly of the combination and to enable interchangeable use of different anchoring ends with a single rope.

As to claim 2, Orr discloses a wire rope and socket combination wherein the wire rope socket **10** has a tapered bore, and the bent strands **a<sup>1</sup>** are bent in the direction of narrowing of the tapered bore (Figure 1).

4. Claims 1 and 2 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shaw (US 5,136,755) in view of Schimmeyer et al.

As to claim 1, Shaw discloses a wire rope and socket combination; comprising:  
a wire rope socket **20**:

a rope formed of strands **11,13** of twisted wires extending into the wire rope socket;

strands **11** of the twisted wires being bent over 180 degrees within the wire rope socket (shown in Figure 9);

strand **13** of the twisted wires remaining unbent within the wire rope socket, wherein the selection of the number of strands of twisted wire bent over 180 degrees and the selection of the number of strands of twisted wire remaining unbent are made to set the breaking strength of the wire rope socket; and

babbit **29** (formed by melting strands **11**; column 8 lines 51-58) securing the rope in the wire rope socket (Figures 8-11).

Shaw fails to disclose a combination wherein the wire socket is internally threaded.

Schimmeyer et al. teach a wire rope and socket combination comprising a wire rope socket **10,14,16** wherein the wire rope socket is internally threaded; the socket comprising a two-piece, threadably engaged assembly, two-piece assembly **14,16** providing for easier assembly of the combination, anchoring end **16** being threaded onto the rope after securement of the rope within member **14** so as to not interfere with the securement process, and enabling interchangeable use of different anchoring ends with a single rope (Figures 1-3, column 2 lines 34-38). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combination disclosed by Shaw to have a two-piece, threaded sleeve as taught by Schimmeyer et al. in order to provide for easier assembly of the combination and to enable interchangeable use of different anchoring ends with a single rope.

As to claim 2, Shaw discloses a wire rope and socket combination wherein the wire rope socket **20** has a tapered bore, and the bent strands **11** are bent in the direction of narrowing of the tapered bore (Figures 9 and 11).

***Response to Arguments***

5. Applicant's arguments with respect to claims 1 and 2 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. The newly added limitations of "wherein the wire rope socket is internally threaded" in claim 1 (line 2) necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).


A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Art Unit: 3679

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael P. Ferguson whose telephone number is (571)272-7081. The examiner can normally be reached on M-F (8:00-5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571)272-7087. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
MPF  
06/18/07



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